

Briefing Note

Title	1:30 p.m. Public Hearing - Lehigh Hanson Materials Limited <ul style="list-style-type: none"> • Bylaw 1415/18 – Amendment to the Calahoo Villeneuve Sand & Gravel Extraction Area Structure Plan Bylaw 922/01 • Bylaw 1416/18 – Amendment to the Land Use Bylaw 1385/17
Issue	<p>To provide an opportunity for members of the public to present their comments to Council regarding proposed Bylaw 1415/18 and Bylaw 1416/18.</p>
Previous Council Direction	<p>June 26, 2018</p> <p>Motion 191/18: That Council amend the Fees and Charges Schedule to add a new fee of \$1,500 per amendment for Resource Extraction to Agriculture.</p> <p>Motion 190/18: That Council give first reading to Bylaw 1416/18.</p> <p>Motion 189/18: That Council give first reading to Bylaw 1415/18.</p>
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> ▪ The applicant and owner of the subject lands have applied to amend the County’s Land Use Bylaw (LUB) and the Calahoo Villeneuve Area Structure Plan (CVASP) to portions of the NW-29-54-26-W4M and NE-30-54-26-W4M from Resource Extraction (QEA) to Agricultural. <ul style="list-style-type: none"> ○ This proposal is consistent with Policy 10.2 of the Calahoo-Villeneuve Sand and Gravel Area Structure Plan, which states “following sand and gravel extraction and subsequent reclamation, and issuance of the reclamation certificate, the land will be re-districted to “Agricultural” (AG).” ▪ The subject pit has been in operation since approximately 1977, by a previous operator. ▪ According to the County’s records Inland Aggregates (Lehigh Hansen) took over the operation in 1999. ▪ In 2001, the County created the CVASP, which designated these lands as Quick Extraction Area.

- A Reclamation Certificate has been issued by Alberta Environment and Parks (AEP), dated May 16, 2018 [Reclamation Certificate No. 397349-00-00].
- Once a pit is fully reclaimed from a physical definition (overburden, subsoil and topsoil replaced, slopes and waterbody features established), then the land, is put back into agricultural production. The Code of Practice requires that a reclamation report be submitted within three (3) years of vegetation being established on a site; however, a standard seems to have developed in which a minimum of three (3) years of crop growth is typically required (sometimes more for perennial crops) before an application for a Reclamation Certificate is submitted to ensure adequate re-establishment.
- The application includes a description of the biophysical environment that has established following reclamation. This includes assessing soil (depth and structure) and vegetation (density, weeds), as well as any slopes (grade and stability) and final waterbodies that might be present. The application must show that the final landscape matches the approved end land use/reclamation plan on file as part of the registration. As part of this, any remaining features (roads) that were not included in the reclamation plan need to be signed off on by the landowner in an exemption agreement. Many times, they leave roads or gravel pads at the request of the landowner that must be exempted in order for AEP to consider reclamation complete.
- Once all those pieces are put together, an application is made to the government. The review process includes a site "inquiry" in which AEP will check soil depths and vegetation cover. The tenant or landowner is typically interviewed as part of that. Because AEP addresses applications on a "first come, first served" basis and site inquiries are limited to summer months, it can take a couple years for an application to get through this process and be approved (or rejected).

External Communication

- This item was presented at the June 18, 2018 Sand & Gravel Committee.
- Landowners within 800 m of the subject lands were notified by mail of the hearing. In addition, newspaper ads will be placed for two consecutive weeks in the *Free Press*, as required by the *Municipal Government Act (MGA)*.

	<p><u>Relevant Policy/Legislation/Practices:</u></p> <ul style="list-style-type: none"> ▪ Section 8.1 (Quick Extraction Policy Area) of the Calahoo-Villeneuve Sand and Gravel Area Structure Plan ▪ The <i>Municipal Government Act</i>, R.S.A. 2000 c.M-26, (MGA) and amendments thereto, authorizes Council to establish and amend bylaws. ▪ Section 692 of the MGA requires that a municipality hold a public hearing prior to giving second reading to a proposed bylaw. ▪ Section 4.2 of Ministerial Order No. L: 111/17 (Effective October 26, 2017), lays out when a statutory plan amendment must be submitted as an application to the Edmonton Metropolitan Region Board in accordance with Regional Evaluation Framework (REF) process.
<p>Implication</p>	<p><u>Strategic Alignment:</u></p> <ul style="list-style-type: none"> ▪ The proposal is consistent with the Municipal Development Plan (MDP), Calahoo/Villeneuve Area Structure Plan (CV ASP) and Land Use Bylaw (LUB). ▪ The proposal is consistent with the Strategic Plan, as per the Strategic Alignment Checklist. ▪ The Land Use Framework encourages the utilization of natural resources and the protection and enhancement of Agricultural Lands. <p>Organizational:</p> <ul style="list-style-type: none"> ▪ Administration will record and analyze inputs received during the Public Hearing for further consideration by Council. <p>Financial:</p> <ul style="list-style-type: none"> ▪ None.
<p>Follow Up Action</p>	<ol style="list-style-type: none"> 1. Administration will work with the applicant to address any relevant concerns raised at the Public Hearing. 2. Administration will bring this item back to Council for consideration of second reading. 3. If no concerns were raised at the Public Hearing, Council could consider granting second and third readings of the Bylaws.
<p>Attachment (s)</p>	<ol style="list-style-type: none"> 1. Bylaw 1415/18 2. Bylaw 1415/18 Schedule "A" 3. Bylaw 1416/18 4. Bylaw 1416/18 Schedule "A"

5. Location Map

**Report Reviewed
by:**



Colin Krywiak, Manager Current Planning & Development



Collin Steffes, General Manager, Integrated Growth



Bill Minnes, County Commissioner – CAO